

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 NEA-10 ADP-00 EB-11 FAA-00 DOTE-00 SS-15

NSC-10 L-03 AF-10 ARA-16 EA-11 RSC-01 CAB-09 CIAE-00

COME-00 DODE-00 INR-10 NSAE-00 PA-03 PRS-01 USIE-00

OIC-04 SY-10 USSS-00 JUSE-00 RSR-01 IOE-00 SSO-00

INRE-00 NSCE-00 /165 W

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O R 271510Z AUG 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC 420 IMMEDIATE

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY TEL AVIV

AMEMBASSY BEIRUT

USMISSION UN

C O N F I D E N T I A L ROME 8720

E.O. 11652: GDS

TAGS: PINS PFOR ETRN

SUBJECT: CIVAIR: ROME ICAO ASSEMBLY/CONFERENCE - ISRAELI ISSUE

DEPT PASS: FAA-STEWART

DOT-DRISCOLL

CAB-GINGEREE

FROM: AMBASSADOR ROUNTREE

1. BEGIN SUMMARY: AMBASSADOR ROUNTREE HAS REITERATED TO ISRAELI DELEGATION CHIEF NAJAR US INTENT TO OPPOSE STRONGLY IMPOSITION OF ANY RETROACTIVE SANCTIONS AGAINST ISRAEL. ROUNTREE EXPRESSED CONFIDENCE THAT EXTREME MEASURES SUCH AS EXPLUSION CAN BE AVOIDED, BUT WARNED THAT THERE IS SERIOUS DANGER THAT ASSEMBLY WILL GO BEYOND MERE CONDEMNATION. HE ALSO EXPRESSED US HOPE THAT GOI WILL FACILITATE EFFORT TO LIMIT ACTIONS AGAINST IT BY DECLARING THAT
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IT DOES NOT ANTICIPATE REPEAT OF AUGUST 10 INCIDENT. IN RESPONSE,

NAJAR ASKED THAT US PRESS OTHER PARTICIPANTS TO ASSESS ISRAEL ACTION IN CONTEXT OF YEARS OF INTERNATIONAL INACTION TOWARD TERRORIST ACTIVITIES WHICH HAD PROMPTED IT, AND TO STRIVE FOR BALANCED AND OBJECTIVE RESOLUTION. IN SEPARATE CONVERSATION AUGUST 26 MEMBER OF UK DEL INDICATED THAT UK AND FRANCE PLAN INITIALLY TO OPPOSE ALL SANCTIONS AGAINST ISRAEL, BUT SHOULD THEY FAIL WOULD BE INCLINED TO ENDORSE MINIMAL ACTION DENYING VOTE TO GOI UNDER ARTICLE 88 AS MEANS TO FORESTALL MORE SERIOUS MEASURES. ROUNTREE AND HUFFMAN REPLIED THAT US WILL OPPOSE RETROACTIVE SANCTIONS OF ANY TYPE, AND URGED BRITISH RECONSIDERATION. IN AUGUST 27 MEETINGS HOWEVER HEAD OF UK DEL INDICATED UK UNLIKELY SUPPORT ANY RECOURSE ARTICLE 88 SINCE THIS WOULD INVOLVE IMPROPER INTERPRETATION OF AUGUST 20 ICAO COUNCIL RESOLUTION. END SUMMARY.

2. AMBASSADOR ROUNTREE AND HUFFMAN MET EVENING AUGUST 26 WITH ISRAELI AMBASSADOR TO ITALY AMIEL NAJAR WHO WILL HEAD GOI ICAO DELEGATION. NAJAR STATED HE HAS KEPT ABREAST CURRENT ICAO MATTERS BUT THAT HE HAS NOT YET RECEIVED INSTRUCTIONS FROM HIS GOVERNMENT FOR CONFERENCE. REMAINDER OF ISRAEL DELEGATION WILL ARRIVE AUGUST 27.

3. AMBASSADOR ROUNTREE BRIEFLY REVIEWED POINTS MADE BY DEPUTY SECRETARY RUSH TO AMBASSADOR DINITZ, STRESSING THAT US WILL STRONGLY OPPOSE IMPOSITION OF SANCTIONS AGAINST ISRAEL. TOWARD THIS END, US HAS INFORMED GOI IN WASHINGTON AND IN TEL AVIV THAT IT WOULD BE EXTREMELY HELPFUL IF GOI COULD PUBLICLY INDICATE ITS AUGUST 10 ACTION WAS ISOLATED INCIDENT WHICH IT DOES NOT PLAN TO REPEAT. ROUNTREE OBSERVED THAT CONDEMNATION OF ISRAEL SIMILAR TO THAT VOICED BY SECURITY COUNCIL AND ICAO IN MONTREAL SEEMS UNAVOIDABLE, BUT THAT HOPEFULLY MEASURES WHICH GO FURTHER CAN BE BLOCKED. IN ALL PROBABILITY EXTREME MEASURES SUCH AS EXPULSION FROM ICAO CAN BE AVOIDED. MORE LIKELY DANGERS WHICH US WOULD ALSO OPPOSE STRONGLY COULD BE DEPRIVATION OF ISRAEL'S RIGHT TO VOTE UNDER ARTICLE 88 OR DEBARMENT OF IT FROM ATTENDING CERTAIN ICAO PROCEEDINGS AND RECEIVING CERTAIN DOCUMENTS AS HAS ALREADY OCCURRED TO SOUTH AFRICA AND PORTUGAL.

4. NAJAR AGREED THAT SOME CONDEMNATION OF GOI SEEMS INEVITABLE, BUT EXPRESSED HOPE IT COULD BE HELD TO PARAMETERS ALREADY ESTABLISHED BY SECURITY COUNCIL AND ICAO AT MONTREAL. NAJAR SAID THAT MOST CONFIDENTIAL

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STRIKING ASPECT OF SITUATION IS LOSS OF SENSE OF PROPORTION IN EVALUATING ISRAEL'S ACTION IN DIVERTING LEBANESE PLANE. INCIDENT TOOK PLACE IN CONTEXT OF AND REACTION TO FIVE YEARS OF REPEATED HIJACKINGS AND OTHER TERRORIST ACTS DIRECTED AGAINST ISRAEL. THROUGHOUT THIS PERIOD NO INTERNATIONAL BODY HAS CONDEMNED ANY INSTANCE OF HIJACKING OR ANY STATE WHICH HAS ABETTED THOSE GUILTY. MOREOVER, MANY NATIONS, INCLUDING PROMINENT EUROPEAN ONES, HAVE SHOWN ASTONISHING LENIENCY IN THEIR TREATMENT OF ARRESTED HIJACKERS

AND TERRORISTS. NAJAR STATED THAT IN RECENT YEARS 74 ARRESTED TERRORISTS HAVE BEEN SET FREE BY EUROPEAN NATIONS, INCLUDING MOST RECENTLY FOUR WHO HAD BEEN APPREHENDED WHILE PREPARING TERRORIST ATTACK AGAINST ROME AIRPORT SIMILAR TO THAT OF THREE WEEKS AGO IN ATHENS. AGAINST THIS BACKGROUND OF REPEATED NATIONAL LENIENCY AND DEMONSTRATED IMPOTENCE OF INTERNATIONAL BODIES, IT IS STRANGE THAT EVERYONE IS NOW SUDDENLY CONDEMNING ISRAEL FOR UNDERTAKING AN ACTION INTENDED TO CURTAIL AND LIMIT THREATS TO SAFETY OF ALL. OBVIOUSLY, HAD OPERATION SUCCEEDED CRITICISM NOW DIRECTED AGAINST ISRAEL WOULD BE LESS PRONOUNCED, BUT IT IS REMARKABLE THAT THOSE WHO NOW CRITICIZE ISRAEL ARE NOT HEARD ALSO TO EXPRESS REGRETS THAT ASSASSINS AGAINST WHOM IT WAS DIRECTED ARE STILL AT LARGE. IT IS MOST IMPORTANT, NAJAR URGED, THAT ANY RESOLUTIONS AT ROME ON SUBJECT SHOULD EQUALLY CONDEMN PRIOR INSTANCES OF HIJACKINGS AND THE THREAT TO AERIAL SAFETY AND INTERNATIONAL PEACE WHICH THEY HAVE ENTAILED.

5. AMBASSADOR ROUNTREE RESPONDED THAT PRIMARY US OBJECTIVE AT ROME MEETINGS IS TO CREATE MEANS TO RESTRICT FUTURE CRIMINAL ACTIONS WHICH ENDANGER AIR SAFETY AND TO PROVIDE AN EFFECTIVE CHANNEL FOR MARSHALING INTERNATIONAL PRESSURE AGAINST BOTH PERPETRATORS AND STATES WHICH AID OR HARBOR THEM. THE UNITED STATES PLACES PARTICULAR IMPORTANCE ON DELIBERATIONS OF THE CONFERENCE SINCE THE VARIOUS PROPOSED AMENDMENTS TO THE CHICAGO CONVENTION BEFORE THE ASSEMBLY COULD IN THEMSELVES OFFER ONLY A LONG TERM SOLUTION, AND THUS ARE A POSSIBLE COUNTERPART TO RATHER THAN ALTERNATIVE FOR, A SEPARATE CONVENTION WHICH COULD COME INTO FORCE MUCH MORE QUICKLY. THE UNITED STATES RECOGNIZES THAT THE NORDIC PROPOSAL WHICH THE CONFERENCE WILL CONSIDER FALLS SHORT OF WHAT, IN THE BEST OF POSSIBLE WORLDS, ISRAEL AND US WOULD BOTH SEEK. BUT IT SEEMS AS MUCH AS CAN BE REALISTICALLY ACHIEVED IN PRESENT CIRCUMSTANCES AND IF APPROPRIATELY MODIFIED WOULD PROVIDE A MEANS TO FOCUS INTERNATIONAL SCRUTINY AND PRESSURE UPON STATES

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